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acting by and through the California Highway
Patrol and Officer Ramon Silva*

SANDRA KIRKMAN AND CARLOS
ALANIZ, INDIVIDUALLY AND AS
SUCCESSORS-IN-INTEREST TO
JOHN ALANIZ, DECEASED,
Plaintiffs,
v.
STATE OF CALIFORNIA; RAMON
SILVA; AND DOES 1-10,
INCLUSIVE,
Defendants.

Case No. 2:23-cv-07532-DMG-SSC

**DECLARATION OF DEPUTY
ATTORNEY GENERAL ASHLEY
REYES IN SUPPORT OF
DEFENDANTS' EX PARTE
APPLICATION FOR
MODIFICATION OF SCHEDULING
ORDER AND TRIAL
CONTINUANCE**

Judge: Honorable Dolly M. Gee
Trial Date: 04/15/2025
Action Filed: 7/28/2023

21 || I, Ashley Reyes, declare as follows:

22 1. I am a duly appointed Deputy Attorney General and am assigned to
23 represent Defendants State of California, acting by and through the California
24 Highway Patrol (CHP), and Officer Ramon Silva in the above-captioned action.
25 The facts set forth herein are within my personal knowledge, except where
26 otherwise indicated, and if called to testify herein I could and would competently
27 testify thereto.

28 || //

1 2. Since the issuance of the Scheduling Order, both parties have engaged
2 in multiple sets of written discovery. Plaintiffs have propounded two sets of
3 Requests for Production of Documents on CHP. In response to these requests, CHP
4 has produced over 9,000 documents. Defendants have propounded two sets of
5 Requests for Production of Documents and two sets of Special Interrogatories on
6 Plaintiff Carlos Alanis. Defendants have also propounded three sets of Requests for
7 Production of Documents and two sets of Special Interrogatories on Plaintiff
8 Sandra Kirkman. The Officer Silva's first set of Interrogatories to both Plaintiffs
9 specifically asked for information relating to the Decedent's medical and mental
10 health treatment.

11 3. On July 2, 2024, Defendants issued a subpoena duces tecum to the
12 Veteran's Administration in Long Beach, California. On August 22, 2024,
13 Plaintiffs' served objections via USPS mail to the subpoena duces tecum to the
14 Veteran's Administration in Long Beach, California.

15 4. On September 6, 2024, I sent an email to Plaintiff's counsel, Shannon
16 Leap, requesting a signed HIPAA authorization from Plaintiffs. This email set forth
17 the reasoning why the records are pertinent, namely the fact that Plaintiffs' have
18 placed the decedent's mental health at issue based on their claims contained within
19 the complaint. Ms. Leap responded on September 9, 2024 indicating that they were
20 not agreeable to providing a HIPAA authorization, and provided dates and times to
21 meet and confer to discuss the issue further.

22 5. The parties met and conferred via telephone on September 13, 2024
23 wherein Ms. Leap offered to provide redacted versions of the records they have
24 personally received from the Veteran's Administration. The parties met and
25 conferred further via email on September 19-20, 2024, and ultimately found that an
26 impasse had been reached and an informal discovery conference was necessary.

27 ///

28 ///

1 6. On October 11, 2024, the parties met and conferred via telephone
2 further. The parties discussed narrowing the scope of the records, as well as the
3 redactions of the records if Plaintiffs' counsel were to produce them. I requested
4 that the scope be narrowed to eight years, since that was the timeframe to which
5 Plaintiffs' claimed the Decedent had begun suffering from schizophrenia and
6 Bipolar Disorder. Ms. Leap suggested that the records be narrowed to five years. I
7 also requested that Ms. Leap provide proof that the records produced by their office
8 were the totality of the records from the Veteran's Administration. I also inquired
9 as to the scope of the redactions and whether Ms. Leap still intended to redact third-
10 party information that was covered by the stipulated protective order. Ms. Leap
11 indicated that she would need to check with the lead attorney and would get back to
12 me.

13 7. I emailed opposing counsel on October 15, 2024, asking about the
14 timeframe and scope of redactions and whether Plaintiffs' position had changed.
15 Ms. Leap proposed that the parties stipulate to amend the complaint so that the
16 mention of Decedent's mental health was removed from the Complaint. Ms. Leap
17 also proposed amending the prayer for relief to be less overbroad and more specific,
18 and that with these changes, Plaintiffs would not have opened the door or waived
19 the psychotherapist-patient privilege. I responded the same day indicating that
20 Defendants were not agreeable to this proposal as Plaintiffs had already placed
21 Decedent's mental health at issue by their claims and by virtue of seeking pre-death
22 physical and mental pain and suffering as part of the survival claims. I also advised
23 Ms. Leap that the Decedent's mental health is also related to Plaintiffs' relationship
24 with the Decedent as part of their Fourteenth Amendment claims and may explain
25 the Decedent's actions on the date of the incident and his encounter with CHP
26 officers. Defendants have been diligent in their efforts to obtain this information
27 and have met and conferred with opposing counsel in attempt to obtain these
28 records, but to no avail.

1 8. None of this information related to Decedent's medical and/or mental
2 health had been previously identified by Plaintiffs in their Rule 26 Initial
3 Disclosures or responses to discovery, despite requests asking for this information.
4 For example, Officer Silva's Interrogatories, Set One, had specifically demanded
5 the identification of all information relating to Decedent's medical care and
6 treatment. Plaintiffs indicated in their responses that they did not have these records
7 in their possession but would supplement these responses when and if additional
8 information became available. Despite receiving this information in July 2024,
9 Plaintiffs never supplemented these responses, nor did they produce or provided a
10 privilege log regarding these documents. Attached as **Exhibit A** is a true and
11 correct copy of Plaintiffs' responses to Officer Silva's Interrogatories, Set One.

12 9. I received the Decedent's medical and/or mental health records from
13 the VA from Plaintiffs' counsel on November 19, 2024. Upon review of these
14 records, it is evident that Plaintiff Sandra Kirkman, who is identified as Decedent's
15 Designated Power of Attorney in these records, and Plaintiff Carlos Alaniz been
16 involved in Decedent's medical and mental healthcare with the VA from 2013 to
17 2022. Thus, there is reason to believe that these records include discoverable
18 information that Plaintiffs were aware of at the onset of this litigation and therefore
19 required to disclose during discovery. A review of these records also indicates that
20 additional discovery is warranted. Although I was unable to go through the entire
21 866 documents prior to the filing of this motion, I was able to review the first 200
22 records which provided information relating to third-party witnesses that will need
23 to be deposed, such as Decedent's ex-wife, additional records that will need to be
24 subpoenaed from outside treatment facilities that Decedent was referred to relating
25 to Welfare & Institutions Code §5150 holds and psychotherapy treatment, and
26 additional written discovery that will need to be propounded on Plaintiffs relating to
27 the Decedent's drug use, enrollment in treatment programs, and consistency of
28 taking his medication for his mental health disorders.

10. Our office will be filing a motion to withdraw, as required by the Central District's Local Rules, due to various matters and conflicts that have recently arisen involving this case, and as a result new counsel will be taking over the case. Further information regarding the motion to withdraw will be provided under seal, for an in camera review by the Court, in connection with this motion. I anticipate to file this motion to withdraw within a day or two after an order on the Defendants' Application for Leave to File Documents Under Seal is issued.

11. Prior to filing this *ex parte* application, I contacted Plaintiffs' counsel of record, Shannon Leap, of the Law Offices of Dale Galipo, located at 21800 Burbank Boulevard, Suite 310, Woodland Hills, California, 91367, (818) 347-333, (sleap@galipolaw.com), in compliance with Local Rule 7-19 through 7-19.1. Ms. Leap indicated that Plaintiffs will oppose this Application. I am filing this application due to the upcoming non-expert discovery deadline, the recent production of discoverable information that has been withheld from Defendants by Plaintiffs, as well as the need to complete this discovery, and to allow the experts to review the evidence and formulate their opinions. Plaintiffs would not agree to stipulate to modify the scheduling order, and there was insufficient time in advance of this application to be heard as a regularly noticed motion prior to the discovery cut off.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 20, 2024, at Fresno, California.

/s/ *Ashley Reyes*

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EXHIBIT A

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2 *dalekgalipo@yahoo.com*
3 Shannon J. Leap, Esq. (SBN 339574)
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5 21800 Burbank Blvd., Suite 310
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6 *Attorneys for Plaintiffs*

7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

9 SANDRA KIRKMAN, CARLOS
10 ALANIZ, individually and successors-
in-interest to JOHN ALANIZ,
11 deceased,

Case No. 2:23-cv-07532-DMG-SSC

Assigned to: *Hon. Dolly M. Gee*
Hon. Stephanie S. Christensen

12 Plaintiffs,

13 vs.

14 STATE OF CALIFORNIA, RAMON
15 SILVA, and DOES 1-10, inclusive,

16 Defendants.

**PLAINTIFF SANDRA KIRKMAN'S
RESPONSES TO DEFENDANT
RAMON SILVA'S
INTERROGATORIES (SET ONE)**

17
18
19
20 **PROPOUNDING PARTY:** Defendant Ramon Silva

21 **RESPONDING PARTY:** Plaintiff Sandra Kirkman

22 **SET NO.:** One (1)

23
24 Plaintiff, Sandra Kirkman hereby responds to Defendant Ramon Silva
25 Interrogatories as follows:
26

27 **TO PROPOUNDING PARTY AND THE ATTORNEY(S) OF RECORD:**

28 Plaintiff has not fully completed an investigation of the facts relating to this

1 case, has not fully completed discovery in this action and has not completed trial
2 preparation. All of the answers contained herein are based only upon such information
3 and documents which are presently available to, and specifically known to this
4 responding party and disclose only those contentions which presently occur to such
5 responding party.

6 It is anticipated that further discovery, independent investigation, legal
7 research and analysis will supply additional facts, add meaning to the known facts, as
8 well as establish entirely new factual conclusions and legal contentions, all of which
9 may lead to substantial additions to, changes in, and variations from the contentions
10 herein set forth. The following interrogatory responses are given without prejudice
11 to responding party's right to produce evidence of any subsequently discovered fact
12 or facts which this responding party may later recall. Plaintiff accordingly reserves
13 the right to change any and all answers herein as additional facts are ascertained,
14 analyses are made, legal research is completed, and contentions are fashioned. The
15 answers contained herein are made in a good faith effort to supply as much factual
16 information and as much specification of legal contentions as is presently known by
17 this responding party and should in no way be construed so as to preclude, or
18 foreclose further discovery, research or analysis by said party.

19 The following general objections are made to each and every interrogatory and
20 are deemed to be incorporated into the specific objection and response provided to
21 each interrogatory:

22 Each of the following General Objections is incorporated as an objection to
23 each interrogatory herein whether or not specific reference is made thereto:

24 1. Plaintiff objects on the grounds that he has not completed his factual
25 investigation. These responses are made in good faith and after diligent inquiry into
26 the facts and information now known to Plaintiff as well as his present analysis of the
27 case. However, information that may be responsive to the Interrogatories may not
28 yet have been discovered. Accordingly, without asserting an obligation to do so, and

1 without waiving the objections asserted herein, Plaintiff reserves the right to amend
2 and/or supplement his responses as and when additional information is discovered.
3 Additionally, because Plaintiff's responses are based upon information that he recalls
4 and has identified to date, it does not preclude Plaintiff from relying on facts or
5 documents recalled, discovered or generated pursuant to subsequent investigation
6 and discovery.

7 2. Plaintiff objects to the Interrogatories to the extent that they seek
8 irrelevant information and information that is not reasonably calculated to lead to the
9 discovery of admissible evidence.

10 3. Plaintiff objects to the Interrogatories to the extent that they are
11 over-broad, vague, ambiguous, and unduly burdensome.

12 4. Plaintiff objects to the Interrogatories to the extent that they are vague
13 and ambiguous and phrased so as to require Plaintiff to speculate concerning the
14 meaning intended by Defendant.

15 5. Plaintiff objects to the Interrogatories to the extent that they call for
16 information protected from discovery by the attorney-client privilege, the attorney
17 work-product doctrine and/or other applicable privileges and protections.

18 6. Inadvertent disclosure of such information shall not constitute a waiver
19 of any privilege or ground for objecting to disclosing such information and shall not
20 waive Plaintiff's right to object to the use of such information.

21 7. Plaintiff objects to the Interrogatories to the extent that they seek
22 information that infringes upon the privacy rights of Plaintiff or third parties.

23 8. Plaintiffs object to the Interrogatories to the extent that they seek
24 information already known by, or reasonably accessible to Defendants, or facts that
25 are solely within the knowledge and control of Defendants.

26 Plaintiff's objections to the disclosure of any information requested in the
27 Interrogatories are not and shall not be construed as an admission that any such
28 information exists.

**PLAINTIFF'S RESPONSES TO DEFENDANT'S
INTERROGATORIES SET NO. ONE**

INTERROGATORY NO. 1:

State the name and telephone number of each individual with whom DECEDENT resided on the date of the INCIDENT.

RESPONSE TO INTERROGATORY NO. 1

Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense and is not proportional to the needs of the case. Responding Party further objects on the grounds that this Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party objections on the ground that the question is request is compound, assumes facts, harassing, and oppressive. Further, this request is vague and ambiguous as to "resided" as Responding Party does not know Requesting Party's intended meaning and words can be interpreted differently. Plaintiff objects that this Interrogatory is overbroad and requests information protected by Plaintiff's right to privacy and the privacy rights of third parties. Plaintiff further objects on the ground that the discovery is ongoing. Subject to and without waiving the foregoing objections Plaintiff Responds as follows:

Plaintiff Carlos Alaniz himself, and Carlos Alaniz III, can be contacted through Plaintiffs' counsel.

INTERROGATORY NO. 2:

State the total amount of damages YOU claim to have suffered as a result of the alleged wrongful conduct of the Doe Defendants.

RESPONSE TO INTERROGATORY NO. 2

Plaintiff also objects to this request on the grounds that it is vague and ambiguous and overbroad as phrased. Accordingly, as phrased, the request is also compound, overbroad and unduly burdensome, and harassing. Plaintiff also objects on the grounds

1 that this interrogatory calls for premature expert opinion and calls for speculation.
2 Plaintiff further objects on the ground that the discovery is ongoing. Subject to and
3 without waiving the foregoing objections, Plaintiff responds as follows:

4 Funeral and burial expenses for \$7,765.81, medical expenses for Decedent
5 John Alaniz's treatment at St. Francis Hospital following the incident for
6 approximately \$22,687.35. Additionally, as a result of the emotional distress
7 following the loss of her son due to this incident, Plaintiff herself needed to take a
8 leave of absence from work from May 2022 until October 2022 and had 60% reduced
9 pay during that time period and approximates she lost \$20,000 in wages as a result of
10 this leave. Additionally, Plaintiffs seek compensatory and punitive damages under
11 federal law and state law in the amount to be proven at trial and based on expert
12 opinion, in excess of \$15,000,000, including but not limited to: Decedent John
13 Alaniz's survival damages, including his pre-death pain and suffering, loss of
14 enjoyment of life, and loss of life in excess of \$10,000,000; Plaintiffs' wrongful
15 death damages for the life-long loss of their son in excess of \$5,000,000; Special
16 Damages, including Funeral and Burial Expenses, are being calculated; Punitive
17 damages: in an amount to be proven at trial from each of the individual defendants,
18 based on their involvement in the incident and the damage caused; Plaintiffs seek
19 statutory attorney fees pursuant to 42 U.S.C. §1988 and under state law; Plaintiffs
20 also seek costs of suit and interest.

21

22 **INTERROGATORY NO. 3:**

23 IDENTIFY all DOCUMENTS that YOU contend support YOUR calculation of
24 damages identified in your response to Interrogatory number 2.

25 **RESPONSE TO INTERROGATORY NO. 3**

26 Plaintiff also objects to this request on the grounds that it is vague and overbroad as
27 phrased. Accordingly, as phrased, the request is also compound, overbroad and unduly
28 burdensome, and harassing. Plaintiff also objects on the grounds that this interrogatory

1 calls for premature expert opinion and calls for speculation. Plaintiff further objects on
2 the ground that the discovery is ongoing. Subject to and without waiving the foregoing
3 objections, Plaintiff responds as follows: PLT 132-137; Plaintiffs' Initial Disclosures
4 dated November 8, 2023.

5

6 **INTERROGATORY NO. 4:**

7 Describe any collateral source benefits YOU received or was eligible to receive in
8 connection with any damages related to the INCIDENT.

9 **RESPONSE TO INTERROGATORY NO. 4**

10 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
11 and is not proportional to the needs of the case. Responding Party further objects on
12 the grounds that this Request is not reasonably calculated to lead to the discovery of
13 admissible evidence. Plaintiff also objects to this request on the grounds that it is vague
14 and overbroad as phrased. Accordingly, as phrased, the request is also compound,
15 overbroad and unduly burdensome, and harassing. This request also violates the
16 collateral source doctrine. Furthermore, Plaintiff objects to the extent that this request
17 calls for pre-mature disclosure of expert opinions and witnesses. Plaintiff further
18 objects on the ground that the discovery is ongoing. Subject to and without waiving
19 the foregoing objections, Plaintiff responds as follows: to the best of Plaintiff's
20 knowledge, Plaintiff has not received any collateral source benefits. Plaintiff reserves
21 the right to supplement and amend this response.

22

23 **INTERROGATORY NO. 5:**

24 Identify all HEALTHCARE PROVIDERS that consulted with, examined and/or
25 treated DECEDENT in the five years prior to the INCIDENT.

26 **RESPONSE TO INTERROGATORY NO. 5**

27 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
28 and is not proportional to the needs of the case. Responding Party further objects on

1 the grounds that this Request is not reasonably calculated to lead to the discovery of
2 admissible evidence. Plaintiff objects to this request on the basis that it seeks
3 information protected from disclosure by Plaintiff's right to privacy and that of the
4 third parties, doctor-patient privilege, and Health Insurance Portability and
5 Accountability Act (HIPAA), 42 U.S.C. § 299b-2, 45 C.F.R. §§ 164.502(a),
6 164.508(a)(1), and the California Confidentiality of Medical Information Act, Cal.
7 Civ. Code § 56.10. Plaintiff also objects to this request on the grounds that it is vague
8 and overbroad as phrased. Accordingly, as phrased, the request is also compound,
9 overbroad and unduly burdensome, and harassing. Plaintiff further objects on the
10 ground that the discovery is ongoing. Subject to and without waiving the foregoing
11 objections, Plaintiff responds as follows: After diligent search and reasonable inquiry,
12 Plaintiff is not in possession of information responsive to this request at this time, but
13 will continue to search for responsive information and will supplement and amend this
14 response if responsive information becomes available.

15

16 **INTERROGATORY NO. 6:**

17 Identify all drug and/or alcohol treatment facilities or programs where DECEDENT
18 underwent treatment in the five years prior to the INCIDENT.

19 **RESPONSE TO INTERROGATORY NO. 6**

20 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
21 and is not proportional to the needs of the case. Responding Party further objects on
22 the grounds that this Request is not reasonably calculated to lead to the discovery of
23 admissible evidence. Plaintiff objects to this request on the basis that it seeks
24 information protected from disclosure by Plaintiff's right to privacy and that of the
25 third parties, doctor-patient privilege, and Health Insurance Portability and
26 Accountability Act (HIPAA), 42 U.S.C. § 299b-2, 45 C.F.R. §§ 164.502(a),
27 164.508(a)(1), and the California Confidentiality of Medical Information Act, Cal.
28 Civ. Code § 56.10. Plaintiff also objects to this request on the grounds that it is vague

1 and overbroad as phrased. Accordingly, as phrased, the request is also compound,
2 overbroad and unduly burdensome, and harassing. Plaintiff further objects on the
3 ground that the discovery is ongoing.

4

5 **INTERROGATORY NO. 7:**

6 Identify all mental health treatment facilities or programs where DECEDENT
7 underwent treatment in the five years prior to the INCIDENT.

8 **RESPONSE TO INTERROGATORY NO. 7**

9 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
10 and is not proportional to the needs of the case. Responding Party further objects on
11 the grounds that this Request is not reasonably calculated to lead to the discovery of
12 admissible evidence. Plaintiff objects to this request on the basis that it seeks
13 information protected from disclosure by Plaintiff's right to privacy and that of the
14 third parties, doctor-patient privilege, psychotherapist-patient privilege, and Health
15 Insurance Portability and Accountability Act (HIPAA), 42 U.S.C. § 299b-2, 45 C.F.R.
16 §§ 164.502(a), 164.508(a)(1), and the California Confidentiality of Medical
17 Information Act, Cal. Civ. Code § 56.10. Plaintiff also objects to this request on the
18 grounds that it is vague and overbroad as phrased. Accordingly, as phrased, the request
19 is also compound, overbroad and unduly burdensome, and harassing. Plaintiff further
20 objects on the ground that the discovery is ongoing. Subject to and without waiving
21 the foregoing objections, Plaintiff responds as follows: After diligent search and
22 reasonable inquiry, Plaintiff is not currently in possession of information responsive
23 to this request, but will continue to search for information responsive to this request
24 and will supplement and amend this response if such information becomes available.

25

26 **INTERROGATORY NO. 8:**

27 Identify any medical insurance under which DECEDENT was covered in the five years
28 prior to the INCIDENT.

1 **RESPONSE TO INTERROGATORY NO. 8**

2 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
3 and is not proportional to the needs of the case. Responding Party further objects on
4 the grounds that this Request is not reasonably calculated to lead to the discovery of
5 admissible evidence. Plaintiff objects to this request on the basis that it seeks
6 information protected from disclosure by Plaintiff's right to privacy and that of the
7 third parties, doctor-patient privilege, and Health Insurance Portability and
8 Accountability Act (HIPAA), 42 U.S.C. § 299b-2, 45 C.F.R. §§ 164.502(a),
9 164.508(a)(1), and the California Confidentiality of Medical Information Act, Cal.
10 Civ. Code § 56.10. Plaintiff also objects to this request on the grounds that it is vague
11 and ambiguous, and overbroad as phrased. Accordingly, as phrased, the request is also
12 compound, overbroad and unduly burdensome, and harassing. Plaintiff also objects on
13 the collateral source doctrine. Plaintiff further objects on the ground that the discovery
14 is ongoing. Subject to and without waiving the foregoing objections, Plaintiff responds
15 as follows: Plaintiff believes that Decedent John Alaniz was insured through the
16 Veteran's Administration.

17

18 **INTERROGATORY NO. 9:**

19 State the name and address of each school or other academic or vocational institution
20 DECEDENT attended beginning with high school.

21 **RESPONSE TO INTERROGATORY NO. 9**

22 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
23 and is not proportional to the needs of the case. Responding Party further objects on
24 the grounds that this Request is not reasonably calculated to lead to the discovery of
25 admissible evidence. Plaintiff objects to this request on the basis that it seeks
26 information protected from disclosure by Plaintiff's right to privacy and that of the
27 third parties. Plaintiff also objects to this request on the grounds that it is vague and
28 overbroad, and compound as phrased. Accordingly, as phrased, the request is also

1 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
2 on the ground that the discovery is ongoing. Subject to and without waiving the
3 foregoing objections, Plaintiff responds as follows: Decedent John Alaniz attended La
4 Mirada High School, 13520 Adelfa Dr, La Mirada, CA 90638 and then enrolled in the
5 U.S. Air Force, and was stationed at Whiteman Air Force Base after graduating from
6 High School. Plaintiff reserves the right to supplement and amend this response.

7

8 **INTERROGATORY NO. 10:**

9 State the dates DECEDENT attended each school or other academic or vocational
10 institution beginning with high school.

11 **RESPONSE TO INTERROGATORY NO. 10**

12 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
13 and is not proportional to the needs of the case. Responding Party further objects on
14 the grounds that this Request is not reasonably calculated to lead to the discovery of
15 admissible evidence. Plaintiff objects to this request on the basis that it seeks
16 information protected from disclosure by Plaintiff's right to privacy and that of the
17 third parties. Plaintiff also objects to this request on the grounds that it is vague and
18 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
19 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
20 that this request is not relevant to any parties' claims or defenses and is outside of the
21 scope of Plaintiff further objects on the ground that the discovery is ongoing. Subject
22 to and without waiving the foregoing objections, Plaintiff responds as follows:
23 Decedent John Alaniz attended La Mirada High School from 2002-2006, obtained his
24 high school diploma; and then enrolled in the U.S. Air Force from 2009 to 2013.
25 Plaintiff reserves the right to supplement and amend this response.

26

27 **INTERROGATORY NO. 11:**

28 State the highest grade level DECEDENT completed.

1 **RESPONSE TO INTERROGATORY NO. 11**

2 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
3 and is not proportional to the needs of the case. Responding Party further objects on
4 the grounds that this Request is not reasonably calculated to lead to the discovery of
5 admissible evidence. Plaintiff objects to this request on the basis that it seeks
6 information protected from disclosure by Plaintiff's right to privacy and that of the
7 third parties. Plaintiff also objects to this request on the grounds that it is vague and
8 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
9 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
10 on the ground that the discovery is ongoing. Subject to and without waiving the
11 foregoing objections, Plaintiff responds as follows: Decedent John Alaniz attended La
12 Mirada High School from 2002-2006, obtained his high school diploma; and then
13 enrolled in the U.S. Air Force from 2009 to 2013. Plaintiff reserves the right to
14 supplement and amend this response.

15

16 **INTERROGATORY NO. 12:**

17 State all degrees received by DECEDENT beginning with high school.

18 **RESPONSE TO INTERROGATORY NO. 12**

19 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
20 and is not proportional to the needs of the case. Responding Party further objects on
21 the grounds that this Request is not reasonably calculated to lead to the discovery of
22 admissible evidence. Plaintiff objects to this request on the basis that it seeks
23 information protected from disclosure by Plaintiff's right to privacy and that of the
24 third parties. Plaintiff also objects to this request on the grounds that it is vague and
25 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
26 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
27 on the ground that the discovery is ongoing. Subject to and without waiving the
28 foregoing objections, Plaintiff responds as follows: Decedent John Alaniz completed

1 High School and obtained a High School Diploma. Plaintiff believes that, while he
2 was in the Air Force, John Alaniz attended some college-level courses and earned
3 certificates and training in Airplane Mechanics, and other related subjects. Plaintiff
4 reserves the right to supplement and amend this response.

5

6 **INTERROGATORY NO. 13:**

7 State the name and address of DECEDENT's employer or place of self-employment
8 at the time of the INCIDENT.

9 **RESPONSE TO INTERROGATORY NO. 13**

10 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
11 and is not proportional to the needs of the case. Responding Party further objects on
12 the grounds that this Request is not reasonably calculated to lead to the discovery of
13 admissible evidence. Plaintiff objects to this request on the basis that it seeks
14 information protected from disclosure by Plaintiff's right to privacy and that of the
15 third parties. Plaintiff also objects to this request on the grounds that it is vague and
16 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
17 compound, overbroad and unduly burdensome, and harassing. Plaintiff objects on the
18 basis that this request is outside the scope of Rule 26 and violates the rule of
19 proportionality. Plaintiff further objects on the ground that the discovery is ongoing.
20 Subject to and without waiving the foregoing objections, Plaintiff responds as follows:
21 to the best of Plaintiff's knowledge, John Alaniz was not employed at the time of the
22 incident. Plaintiff reserves the right to supplement and amend this response.

23

24 **INTERROGATORY NO. 14:**

25 State the dates of DECEDENT'S employment with the employer identified in response
26 to Interrogatory number 12.

27 **RESPONSE TO INTERROGATORY NO. 14**

28 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense

1 and is not proportional to the needs of the case. Responding Party further objects on
2 the grounds that this Request is not reasonably calculated to lead to the discovery of
3 admissible evidence. Plaintiff objects to this request on the basis that it seeks
4 information protected from disclosure by Plaintiff's right to privacy and that of the
5 third parties. Plaintiff further objects on the basis that this request is not relevant to any
6 parties' claim or defense and violates the rule of proportionality embedded within Rule
7 26. Plaintiff also objects to this request on the grounds that it is vague and overbroad,
8 calls for speculation, lacks foundation, and compound as phrased. Accordingly, as
9 phrased, the request is also compound, overbroad and unduly burdensome, and
10 harassing. Plaintiff further objects on the ground that the discovery is ongoing. Subject
11 to and without waiving the foregoing objections, Plaintiff responds as follows: to the
12 best of Plaintiff's knowledge, John Alaniz was not employed at the time of the
13 incident. Plaintiff reserves the right to supplement and amend this response.

14

15 **INTERROGATORY NO. 15:**

16 State the job title and/or nature of work for DECEDENT with the employer
17 identified in response to Interrogatory number 12.

18 **RESPONSE TO INTERROGATORY NO. 15**

19 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
20 and is not proportional to the needs of the case. Responding Party further objects on
21 the grounds that this Request is not reasonably calculated to lead to the discovery of
22 admissible evidence. Plaintiff objects to this request on the basis that it seeks
23 information protected from disclosure by Plaintiff's right to privacy and that of the
24 third parties. Plaintiff further objects on the basis that this request is not relevant to any
25 parties' claim or defense and violates the rule of proportionality embedded within Rule
26 26. Plaintiff also objects to this request on the grounds that it is vague and overbroad,
27 calls for speculation, lacks foundation, and compound as phrased. Accordingly, as
28 phrased, the request is also compound, overbroad and unduly burdensome, and

1 harassing. Plaintiff further objects on the ground that the discovery is ongoing. Subject
2 to and without waiving the foregoing objections, Plaintiff responds as follows: to the
3 best of Plaintiff's knowledge, John Alaniz was not employed at the time of the
4 incident. Plaintiff reserves the right to supplement and amend this response.

5

6 **INTERROGATORY NO. 16:**

7 State the name and address of DECEDENT's employers or places of self-
8 employment for five years before the INCIDENT.

9 **RESPONSE TO INTERROGATORY NO. 16**

10 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
11 and is not proportional to the needs of the case. Responding Party further objects on
12 the grounds that this Request is not reasonably calculated to lead to the discovery of
13 admissible evidence. Plaintiff objects to this request on the basis that it seeks
14 information protected from disclosure by Plaintiff's right to privacy and that of the
15 third parties. Plaintiff further objects on the basis that this request is not relevant to any
16 parties' claim or defense and violates the rule of proportionality embedded within Rule
17 26. Plaintiff also objects to this request on the grounds that it is vague and overbroad,
18 calls for speculation, lacks foundation, and compound as phrased. Accordingly, as
19 phrased, the request is also compound, overbroad and unduly burdensome, and
20 harassing. Plaintiff further objects on the ground that the discovery is ongoing. Subject
21 to and without waiving the foregoing objections, Plaintiff responds as follows: to the
22 best of Plaintiff's knowledge, John Alaniz was not employed during this time period.
23 Plaintiff reserves the right to supplement and amend this response.

24

25 **INTERROGATORY NO. 17:**

26 State the dates of DECEDENT'S employment with the employer identified in
27 response to Interrogatory number 15.

28 **RESPONSE TO INTERROGATORY NO. 17**

1 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
2 and is not proportional to the needs of the case. Responding Party further objects on
3 the grounds that this Request is not reasonably calculated to lead to the discovery of
4 admissible evidence. Plaintiff objects to this request on the basis that it seeks
5 information protected from disclosure by Plaintiff's right to privacy and that of the
6 third parties. Plaintiff also objects to this request on the grounds that it is vague and
7 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
8 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
9 on the ground that the discovery is ongoing. Subject to and without waiving the
10 foregoing objections, Plaintiff responds as follows: to the best of Plaintiff's
11 knowledge, John Alaniz was not employed during this time period. Plaintiff reserves
12 the right to supplement and amend this response.

13
INTERROGATORY NO. 18:

14 State the job title and/or nature of work for DECEDENT with the employer
15 identified in response to Interrogatory number 15.
16

17 **RESPONSE TO INTERROGATORY NO. 18**

18 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
19 and is not proportional to the needs of the case. Responding Party further objects on
20 the grounds that this Request is not reasonably calculated to lead to the discovery of
21 admissible evidence. Plaintiff objects to this request on the basis that it seeks
22 information protected from disclosure by Plaintiff's right to privacy and that of the
23 third parties. Plaintiff also objects to this request on the grounds that it is vague and
24 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
25 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
26 on the ground that the discovery is ongoing. Subject to and without waiving the
27 foregoing objections, Plaintiff responds as follows: to the best of Plaintiff's
28 knowledge, John Alaniz was not employed during this time period. Plaintiff reserves

1 the right to supplement and amend this response.

2 DATED: April 5, 2024

3 LAW OFFICES OF DALE K. GALIPO

4 By: /s / Dale K. Galipo

5 Dale K. Galipo

6 Shannon J. Leap

7 Attorney for Plaintiff

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6 *Attorneys for Plaintiffs*

7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

9 SANDRA KIRKMAN, CARLOS
10 ALANIZ, individually and successors-
in-interest to JOHN ALANIZ,
11 deceased,

Case No. 2:23-cv-07532-DMG-SSC

Assigned to: *Hon. Dolly M. Gee*
Hon. Stephanie S. Christensen

12 Plaintiffs,

13 vs.

14 STATE OF CALIFORNIA, RAMON
15 SILVA, and DOES 1-10, inclusive,

16 Defendants.

**PLAINTIFF CARLOS ALANIZ'S
RESPONSES TO DEFENDANT
RAMON SILVA'S
INTERROGATORIES (SET ONE)**

19
20 **PROPOUNDING PARTY:** Defendant Ramon Silva

21 **RESPONDING PARTY:** Plaintiff Carlos Alaniz

22 **SET NO.:** One (1)

23
24 Plaintiff, Carlos Alaniz, hereby responds to Defendant Ramon Silva
25 Interrogatories as follows:

26
27 **TO PROPOUNDING PARTY AND THE ATTORNEY(S) OF RECORD:**

28 Plaintiff has not fully completed an investigation of the facts relating to this

1 case, has not fully completed discovery in this action and has not completed trial
2 preparation. All of the answers contained herein are based only upon such information
3 and documents which are presently available to, and specifically known to this
4 responding party and disclose only those contentions which presently occur to such
5 responding party.

6 It is anticipated that further discovery, independent investigation, legal
7 research and analysis will supply additional facts, add meaning to the known facts, as
8 well as establish entirely new factual conclusions and legal contentions, all of which
9 may lead to substantial additions to, changes in, and variations from the contentions
10 herein set forth. The following interrogatory responses are given without prejudice
11 to responding party's right to produce evidence of any subsequently discovered fact
12 or facts which this responding party may later recall. Plaintiff accordingly reserves
13 the right to change any and all answers herein as additional facts are ascertained,
14 analyses are made, legal research is completed, and contentions are fashioned. The
15 answers contained herein are made in a good faith effort to supply as much factual
16 information and as much specification of legal contentions as is presently known by
17 this responding party and should in no way be construed so as to preclude, or
18 foreclose further discovery, research or analysis by said party.

19 The following general objections are made to each and every interrogatory and
20 are deemed to be incorporated into the specific objection and response provided to
21 each interrogatory:

22 Each of the following General Objections is incorporated as an objection to
23 each interrogatory herein whether or not specific reference is made thereto:

24 1. Plaintiff objects on the grounds that he has not completed his factual
25 investigation. These responses are made in good faith and after diligent inquiry into
26 the facts and information now known to Plaintiff as well as his present analysis of the
27 case. However, information that may be responsive to the Interrogatories may not
28 yet have been discovered. Accordingly, without asserting an obligation to do so, and

1 without waiving the objections asserted herein, Plaintiff reserves the right to amend
2 and/or supplement his responses as and when additional information is discovered.
3 Additionally, because Plaintiff's responses are based upon information that he recalls
4 and has identified to date, it does not preclude Plaintiff from relying on facts or
5 documents recalled, discovered or generated pursuant to subsequent investigation
6 and discovery.

7 2. Plaintiff objects to the Interrogatories to the extent that they seek
8 irrelevant information and information that is not reasonably calculated to lead to the
9 discovery of admissible evidence.

10 3. Plaintiff objects to the Interrogatories to the extent that they are
11 over-broad, vague, ambiguous, and unduly burdensome.

12 4. Plaintiff objects to the Interrogatories to the extent that they are vague
13 and ambiguous and phrased so as to require Plaintiff to speculate concerning the
14 meaning intended by Defendant.

15 5. Plaintiff objects to the Interrogatories to the extent that they call for
16 information protected from discovery by the attorney-client privilege, the attorney
17 work-product doctrine and/or other applicable privileges and protections.

18 6. Inadvertent disclosure of such information shall not constitute a waiver
19 of any privilege or ground for objecting to disclosing such information and shall not
20 waive Plaintiff's right to object to the use of such information.

21 7. Plaintiff objects to the Interrogatories to the extent that they seek
22 information that infringes upon the privacy rights of Plaintiff or third parties.

23 8. Plaintiffs object to the Interrogatories to the extent that they seek
24 information already known by, or reasonably accessible to Defendants, or facts that
25 are solely within the knowledge and control of Defendants.

26 Plaintiff's objections to the disclosure of any information requested in the
27 Interrogatories are not and shall not be construed as an admission that any such
28 information exists.

**PLAINTIFF'S RESPONSES TO DEFENDANT'S
INTERROGATORIES SET NO. ONE**

INTERROGATORY NO. 1:

State the name and telephone number of each individual with whom DECEDENT resided on the date of the INCIDENT.

RESPONSE TO INTERROGATORY NO. 1

Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense and is not proportional to the needs of the case. Responding Party further objects on the grounds that this Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party objections on the ground that the question is request is compound, assumes facts, harassing, and oppressive. Further, this request is vague and ambiguous as to "resided" as Responding Party does not know Requesting Party's intended meaning and words can be interpreted differently. Plaintiff objects that this Interrogatory is overbroad and requests information protected by Plaintiff's right to privacy and the privacy rights of third parties. Plaintiff further objects on the ground that the discovery is ongoing. Subject to and without waiving the foregoing objections, Plaintiff Responds as follows:

Plaintiff himself, and Carlos Alaniz III, both of whom can be contacted through Plaintiffs' counsel.

INTERROGATORY NO. 2:

State the total amount of damages YOU claim to have suffered as a result of the alleged wrongful conduct of the Doe Defendants.

RESPONSE TO INTERROGATORY NO. 2

Responding Party further objects on the grounds that this Request is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff also objects to this request on the grounds that it is vague and overbroad as phrased. Accordingly, as

1 phrased, the request is also compound, overbroad and unduly burdensome, and
2 harassing. Plaintiff also objects on the grounds that this interrogatory calls for
3 premature expert opinion and calls for speculation. Plaintiff further objects on the
4 ground that the discovery is ongoing. Subject to and without waiving the foregoing
5 objections, Plaintiff responds as follows:

6 Funeral and burial expenses for \$7,765.81, medical expenses for Decedent
7 John Alaniz's treatment at St. Francis Hospital following the incident for
8 approximately \$22,687.35. Additionally, Plaintiffs seek compensatory and punitive
9 damages under federal law and state law in the amount to be proven at trial and based
10 on expert opinion, in excess of \$15,000,000, including but not limited to: Decedent
11 John Alaniz's survival damages, including his pre-death pain and suffering, loss of
12 enjoyment of life, and loss of life in excess of \$10,000,000; Plaintiffs' wrongful
13 death damages for the life-long loss of their son in excess of \$5,000,000; Special
14 Damages, including Funeral and Burial Expenses, are being calculated; Punitive
15 damages: in an amount to be proven at trial from each of the individual defendants,
16 based on their involvement in the incident and the damage caused; Plaintiffs seek
17 statutory attorney fees pursuant to 42 U.S.C. §1988 and under state law; Plaintiffs
18 also seek costs of suit and interest. Plaintiff reserves the right to supplement and
19 amend this response.

20

21 **INTERROGATORY NO. 3:**

22 IDENTIFY all DOCUMENTS that YOU contend support YOUR calculation of
23 damages identified in your response to Interrogatory number 2.

24 **RESPONSE TO INTERROGATORY NO. 3**

25 Plaintiff also objects to this request on the grounds that it is vague and overbroad as
26 phrased. Accordingly, as phrased, the request is also compound, overbroad and unduly
27 burdensome, and harassing. Plaintiff also objects on the grounds that this interrogatory
28 calls for premature expert opinion and calls for speculation. Plaintiff further objects on

1 the ground that the discovery is ongoing. Subject to and without waiving the foregoing
2 objections, Plaintiff responds as follows: PLT 132-137, Plaintiffs' Initial Disclosures
3 dated November 8, 2023.

4

5 **INTERROGATORY NO. 4:**

6 Describe any collateral source benefits YOU received or was eligible to receive in
7 connection with any damages related to the INCIDENT.

8 **RESPONSE TO INTERROGATORY NO. 4**

9 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
10 and is not proportional to the needs of the case. Responding Party further objects on
11 the grounds that this Request is not reasonably calculated to lead to the discovery of
12 admissible evidence. Plaintiff also objects to this request on the grounds that it is vague
13 and overbroad as phrased. Accordingly, as phrased, the request is also compound,
14 overbroad and unduly burdensome, and harassing. This request also violates the
15 collateral source doctrine. Furthermore, Plaintiff objects to the extent that this request
16 calls for pre-mature disclosure of expert opinions and witnesses. Plaintiff further
17 objects on the ground that the discovery is ongoing. Subject to and without waiving
18 the foregoing objections, Plaintiff responds as follows: to the best of Plaintiff's
19 knowledge, Plaintiff has not received any collateral source benefits. Plaintiff reserves
20 the right to supplement and amend this response.

21

22 **INTERROGATORY NO. 5:**

23 Identify all HEALTHCARE PROVIDERS that consulted with, examined and/or
24 treated DECEDENT in the five years prior to the INCIDENT.

25 **RESPONSE TO INTERROGATORY NO. 5**

26 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
27 and is not proportional to the needs of the case. Responding Party further objects on
28 the grounds that this Request is not reasonably calculated to lead to the discovery of

1 admissible evidence. Plaintiff objects to this request on the basis that it seeks
2 information protected from disclosure by Plaintiff's right to privacy and that of the
3 third parties, doctor-patient privilege, and Health Insurance Portability and
4 Accountability Act (HIPAA), 42 U.S.C. § 299b-2, 45 C.F.R. §§ 164.502(a),
5 164.508(a)(1), and the California Confidentiality of Medical Information Act, Cal.
6 Civ. Code § 56.10. Plaintiff also objects to this request on the grounds that it is vague
7 and overbroad as phrased. Accordingly, as phrased, the request is also compound,
8 overbroad and unduly burdensome, and harassing. Plaintiff further objects on the
9 ground that the discovery is ongoing. Subject to and without waiving the foregoing
10 objections, Plaintiff responds as follows: After diligent search and reasonable inquiry,
11 Plaintiff is not in possession of information responsive to this request at this time, but
12 will continue to search for responsive information and will supplement and amend this
13 response if responsive information becomes available.

14

15 **INTERROGATORY NO. 6:**

16 Identify all drug and/or alcohol treatment facilities or programs where DECEDENT
17 underwent treatment in the five years prior to the INCIDENT.

18 **RESPONSE TO INTERROGATORY NO. 6:**

19 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
20 and is not proportional to the needs of the case. Responding Party further objects on
21 the grounds that this Request is not reasonably calculated to lead to the discovery of
22 admissible evidence. Plaintiff objects to this request on the basis that it seeks
23 information protected from disclosure by Plaintiff's right to privacy and that of the
24 third parties, doctor-patient privilege, and Health Insurance Portability and
25 Accountability Act (HIPAA), 42 U.S.C. § 299b-2, 45 C.F.R. §§ 164.502(a),
26 164.508(a)(1), and the California Confidentiality of Medical Information Act, Cal.
27 Civ. Code § 56.10. Plaintiff also objects to this request on the grounds that it is vague
28 and overbroad as phrased. Accordingly, as phrased, the request is also compound,

1 overbroad and unduly burdensome, and harassing. Plaintiff further objects on the
2 ground that the discovery is ongoing.

3 **INTERROGATORY NO. 7:**

4 Identify all mental health treatment facilities or programs where DECEDENT
5 underwent treatment in the five years prior to the INCIDENT.

6 **RESPONSE TO INTERROGATORY NO. 7**

7 Plaintiff objects to this request on the basis that it seeks information protected from
8 disclosure by Plaintiff's right to privacy and that of the third parties, doctor-patient
9 privilege, psychotherapist-patient privilege, and Health Insurance Portability and
10 Accountability Act (HIPAA), 42 U.S.C. § 299b-2, 45 C.F.R. §§ 164.502(a),
11 164.508(a)(1), and the California Confidentiality of Medical Information Act, Cal.
12 Civ. Code § 56.10. Plaintiff also objects to this request on the grounds that it is vague
13 and overbroad as phrased. Accordingly, as phrased, the request is also compound,
14 overbroad and unduly burdensome, and harassing. Plaintiff further objects on the
15 ground that the discovery is ongoing. Subject to and without waiving the foregoing
16 objections, Plaintiff responds as follows: After diligent search and reasonable inquiry,
17 Plaintiff is not currently in possession of information responsive to this request, but
18 will continue to search for information responsive to this request and will supplement
19 and amend this response if such information becomes available.

20

21 **INTERROGATORY NO. 8:**

22 Identify any medical insurance under which DECEDENT was covered in the five years
23 prior to the INCIDENT.

24 **RESPONSE TO INTERROGATORY NO. 8**

25 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
26 and is not proportional to the needs of the case. Responding Party further objects on
27 the grounds that this Request is not reasonably calculated to lead to the discovery of
28 admissible evidence. Plaintiff objects to this request on the basis that it seeks

1 information protected from disclosure by Plaintiff's right to privacy and that of the
2 third parties, doctor-patient privilege, and Health Insurance Portability and
3 Accountability Act (HIPAA), 42 U.S.C. § 299b-2, 45 C.F.R. §§ 164.502(a),
4 164.508(a)(1), and the California Confidentiality of Medical Information Act, Cal.
5 Civ. Code § 56.10. Plaintiff also objects to this request on the grounds that it is vague
6 and ambiguous, and overbroad as phrased. Accordingly, as phrased, the request is also
7 compound, overbroad and unduly burdensome, and harassing. Plaintiff also objects on
8 the collateral source doctrine. Plaintiff further objects on the ground that the discovery
9 is ongoing. Subject to and without waiving the foregoing objections, Plaintiff responds
10 as follows: Plaintiff believes that Decedent John Alaniz was insured through the
11 Veteran's Administration.

12

13 **INTERROGATORY NO. 9:**

14 State the name and address of each school or other academic or vocational institution
15 DECEDENT attended beginning with high school.

16 **RESPONSE TO INTERROGATORY NO. 9**

17 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
18 and is not proportional to the needs of the case. Responding Party further objects on
19 the grounds that this Request is not reasonably calculated to lead to the discovery of
20 admissible evidence. Plaintiff objects to this request on the basis that it seeks
21 information protected from disclosure by Plaintiff's right to privacy and that of the
22 third parties. Plaintiff also objects to this request on the grounds that it is vague and
23 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
24 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
25 that this request is not relevant to any parties' claims or defenses and is outside of the
26 scope of Plaintiff further objects on the ground that the discovery is ongoing. Subject
27 to and without waiving the foregoing objections, Plaintiff responds as follows:
28 Decedent John Alaniz attended La Mirada High School from 2002-2006, obtained his

1 high school diploma; and then enrolled in the U.S. Air Force from 2009 to 2013.
2 Plaintiff reserves the right to supplement and amend this response.
3

4 **INTERROGATORY NO. 10:**

5 State the dates DECEDENT attended each school or other academic or vocational
6 institution beginning with high school.

7 **RESPONSE TO INTERROGATORY NO. 10**

8 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
9 and is not proportional to the needs of the case. Responding Party further objects on
10 the grounds that this Request is not reasonably calculated to lead to the discovery of
11 admissible evidence. Plaintiff objects to this request on the basis that it seeks
12 information protected from disclosure by Plaintiff's right to privacy and that of the
13 third parties. Plaintiff also objects to this request on the grounds that it is vague and
14 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
15 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
16 that this request is not relevant to any parties' claims or defenses and is outside of the
17 scope of Plaintiff further objects on the ground that the discovery is ongoing. Subject
18 to and without waiving the foregoing objections, Plaintiff responds as follows:
19 Decedent John Alaniz attended La Mirada High School from 2002-2006, obtained his
20 high school diploma; and then enrolled in the U.S. Air Force from 2009 to 2013.
21 Plaintiff reserves the right to supplement and amend this response.
22

23 **INTERROGATORY NO. 11:**

24 State the highest grade level DECEDENT completed.

25 **RESPONSE TO INTERROGATORY NO. 11**

26 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
27 and is not proportional to the needs of the case. Responding Party further objects on
28 the grounds that this Request is not reasonably calculated to lead to the discovery of

1 admissible evidence. Plaintiff objects to this request on the basis that it seeks
2 information protected from disclosure by Plaintiff's right to privacy and that of the
3 third parties. Plaintiff also objects to this request on the grounds that it is vague and
4 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
5 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
6 on the ground that the discovery is ongoing. Subject to and without waiving the
7 foregoing objections, Plaintiff responds as follows: Decedent John Alaniz attended La
8 Mirada High School from 2002-2006, obtained his high school diploma; and then
9 enrolled in the U.S. Air Force from 2009 to 2013. Plaintiff reserves the right to
10 supplement and amend this response.

11

12 **INTERROGATORY NO. 12:**

13 State all degrees received by DECEDENT beginning with high school.

14 **RESPONSE TO INTERROGATORY NO. 12**

15 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
16 and is not proportional to the needs of the case. Responding Party further objects on
17 the grounds that this Request is not reasonably calculated to lead to the discovery of
18 admissible evidence. Plaintiff objects to this request on the basis that it seeks
19 information protected from disclosure by Plaintiff's right to privacy and that of the
20 third parties. Plaintiff also objects to this request on the grounds that it is vague and
21 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
22 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
23 on the ground that the discovery is ongoing. Subject to and without waiving the
24 foregoing objections, Plaintiff responds as follows: Decedent John Alaniz completed
25 High School and obtained a High School Diploma. Plaintiff believes that, while John
26 Alaniz was in the Air Force, he earned certificates and training in Airplane Mechanics,
27 and other related subjects. Plaintiff reserves the right to supplement and amend this
28 response

1 **INTERROGATORY NO. 13:**

2 State the name and address of DECEDENT's employer or place of self-employment
3 at the time of the INCIDENT.

4 **RESPONSE TO INTERROGATORY NO. 13**

5 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
6 and is not proportional to the needs of the case. Responding Party further objects on
7 the grounds that this Request is not reasonably calculated to lead to the discovery of
8 admissible evidence. Plaintiff objects to this request on the basis that it seeks
9 information protected from disclosure by Plaintiff's right to privacy and that of the
10 third parties. Plaintiff also objects to this request on the grounds that it is vague and
11 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
12 compound, overbroad and unduly burdensome, and harassing. Plaintiff objects on the
13 basis that this request is outside the scope of Rule 26 and violates the rule of
14 proportionality. Plaintiff further objects on the ground that the discovery is ongoing.
15 Subject to and without waiving the foregoing objections, Plaintiff responds as follows:
16 to the best of Plaintiff's knowledge, John Alaniz was not employed at the time of the
17 incident. Plaintiff reserves the right to supplement and amend this response.

18

19 **INTERROGATORY NO. 14:**

20 State the dates of DECEDENT'S employment with the employer identified in response
21 to Interrogatory number 12.

22 **RESPONSE TO INTERROGATORY NO. 14**

23 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
24 and is not proportional to the needs of the case. Responding Party further objects on
25 the grounds that this Request is not reasonably calculated to lead to the discovery of
26 admissible evidence. Plaintiff objects to this request on the basis that it seeks
27 information protected from disclosure by Plaintiff's right to privacy and that of the
28 third parties. Plaintiff further objects on the basis that this request is not relevant to any

1 parties' claim or defense and violates the rule of proportionality embedded within Rule
2 26. Plaintiff also objects to this request on the grounds that it is vague and overbroad,
3 calls for speculation, lacks foundation, and compound as phrased. Accordingly, as
4 phrased, the request is also compound, overbroad and unduly burdensome, and
5 harassing. Plaintiff further objects on the ground that the discovery is ongoing. Subject
6 to and without waiving the foregoing objections, Plaintiff responds as follows: to the
7 best of Plaintiff's knowledge, John Alaniz was not employed at the time of the
8 incident. Plaintiff reserves the right to supplement and amend this response.
9

10 **INTERROGATORY NO. 15:**

11 State the job title and/or nature of work for DECEDENT with the employer
12 identified in response to Interrogatory number 12.

13 **RESPONSE TO INTERROGATORY NO. 15**

14 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
15 and is not proportional to the needs of the case. Responding Party further objects on
16 the grounds that this Request is not reasonably calculated to lead to the discovery of
17 admissible evidence. Plaintiff objects to this request on the basis that it seeks
18 information protected from disclosure by Plaintiff's right to privacy and that of the
19 third parties. Plaintiff further objects on the basis that this request is not relevant to any
20 parties' claim or defense and violates the rule of proportionality embedded within Rule
21 26. Plaintiff also objects to this request on the grounds that it is vague and overbroad,
22 calls for speculation, lacks foundation, and compound as phrased. Accordingly, as
23 phrased, the request is also compound, overbroad and unduly burdensome, and
24 harassing. Plaintiff further objects on the ground that the discovery is ongoing. Subject
25 to and without waiving the foregoing objections, Plaintiff responds as follows: to the
26 best of Plaintiff's knowledge, John Alaniz was not employed at the time of the
27 incident. Plaintiff reserves the right to supplement and amend this response.
28

1 **INTERROGATORY NO. 16:**

2 State the name and address of DECEDENT's employers or places of self-
3 employment for five years before the INCIDENT.

4 **RESPONSE TO INTERROGATORY NO. 16**

5 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
6 and is not proportional to the needs of the case. Responding Party further objects on
7 the grounds that this Request is not reasonably calculated to lead to the discovery of
8 admissible evidence. Plaintiff objects to this request on the basis that it seeks
9 information protected from disclosure by Plaintiff's right to privacy and that of the
10 third parties. Plaintiff further objects on the basis that this request is not relevant to any
11 parties' claim or defense and violates the rule of proportionality embedded within Rule
12 26. Plaintiff also objects to this request on the grounds that it is vague and overbroad,
13 calls for speculation, lacks foundation, and compound as phrased. Accordingly, as
14 phrased, the request is also compound, overbroad and unduly burdensome, and
15 harassing. Plaintiff further objects on the ground that the discovery is ongoing. Subject
16 to and without waiving the foregoing objections, Plaintiff responds as follows: to the
17 best of Plaintiff's knowledge, John Alaniz was not employed during this time period.
18 Plaintiff reserves the right to supplement and amend this response.

19

20 **INTERROGATORY NO. 17:**

21 State the dates of DECEDENT'S employment with the employer identified in
22 response to Interrogatory number 15.

23 **RESPONSE TO INTERROGATORY NO. 17**

24 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
25 and is not proportional to the needs of the case. Responding Party further objects on
26 the grounds that this Request is not reasonably calculated to lead to the discovery of
27 admissible evidence. Plaintiff objects to this request on the basis that it seeks
28 information protected from disclosure by Plaintiff's right to privacy and that of the

1 third parties. Plaintiff also objects to this request on the grounds that it is vague and
2 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
3 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
4 on the ground that the discovery is ongoing. Subject to and without waiving the
5 foregoing objections, Plaintiff responds as follows: to the best of Plaintiff's
6 knowledge, John Alaniz was not employed during this time period. Plaintiff reserves
7 the right to supplement and amend this response.

8 **INTERROGATORY NO. 18:**

9 State the job title and/or nature of work for DECEDENT with the employer
10 identified in response to Interrogatory number 15.

11 **RESPONSE TO INTERROGATORY NO. 18**

12 Pursuant to FRCP 26(b)(1), this request is not relevant to any party's claim or defense
13 and is not proportional to the needs of the case. Responding Party further objects on
14 the grounds that this Request is not reasonably calculated to lead to the discovery of
15 admissible evidence. Plaintiff objects to this request on the basis that it seeks
16 information protected from disclosure by Plaintiff's right to privacy and that of the
17 third parties. Plaintiff also objects to this request on the grounds that it is vague and
18 overbroad, and compound as phrased. Accordingly, as phrased, the request is also
19 compound, overbroad and unduly burdensome, and harassing. Plaintiff further objects
20 on the ground that the discovery is ongoing. Subject to and without waiving the
21 foregoing objections, Plaintiff responds as follows: to the best of Plaintiff's
22 knowledge, John Alaniz was not employed during this time period. Plaintiff reserves
23 the right to supplement and amend this response.

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DATED: April 5, 2024

LAW OFFICES OF DALE K. GALIPO

By: /s / Dale K. Galipo

Dale K. Galipo

Shannon J. Leap

Attorney for Plaintiff

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CERTIFICATE OF SERVICE

Case Name: Sandra Kirkman, et al. v. State of California, et al. No. 2:23-cv-07532-DMG-SSC

I hereby certify that on November 20, 2024, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

DECLARATION OF DEPUTY ATTORNEY GENERAL ASHLEY REYES IN SUPPORT OF DEFENDANTS' EX PARTE APPLICATION FOR MODIFICATION OF SCHEDULING ORDER AND TRIAL CONTINUANCE

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on November 20, 2024, at Fresno, California.

Carrie Vue
Declarant

/s/ Carrie Vue
Signature

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